IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2091 OF 2005

Sandip Ramchandra Kapase ... Applicants

versus

The State of Maharashtra ... Respondent

...

Mr.Dilip Bodake , for the Applicants.

Mr.K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

30th March 2005

P.C.:

. Heard Counsel for the parties. The Applicant has been arrested in connection with CR.No.235/2004 registered at Phaltan Police Station in connection with offence under sections 498A, 306, 323, 504 read with section 34 of the Indian Penal Code. Indeed, the offence is serious one. However, even accepting the

prosectuion case as it is, it would appear that there was difference of opinion between the Applicant and the deceased. The Applicant disliked the deceased mainly because of her looks. There is no allegation about any demand. The close relations of the deceased have opined that the deceased overreacted to the situation by commiting suicide. Taking overall view of the matter, and as investigation is complete and chargesheet is filed, the Applicant deserves to be enlarged on bail on following conditions.

(A) Applicant is directed to be released on bail in connection with CR.No.235/2004 registered at Phaltan Police Station, District Satara, on executing personal bond in the sum of Rs.10,000/- (Rupees Ten thousand only) with one or two local sureties in the like amount.

(B) Applicants shall not influence the prosecution witnesses nor shall tamper with the prosecution evidence in any manner whatsoever.

(C) The Applicants shall report to the investigating officer once in a month on first Saturday of every English calendar month.

(D) Applicants shall co-operate for early disposal of the trial. If the trial Court is of the opinion that the Applicants are in any manner responsible for the delay in disposal of the trial, that fact be recorded in the roznama, which can be a ground for cancellation of bail.

. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)